

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL J. PENDLETON,	:	
Petitioner,	:	
v.	:	Case No. 2:11-cv-237-KRG-KAP
COURT OF COMMON PLEAS OF	:	
ALLEGHENY COUNTY, PENNSYLVANIA,	:	
Respondent	:	

MEMORANDUM ORDER

Petitioner's motion under Fed.R.Civ.P. 59(e) to alter or amend the judgment, docket no. 8, was referred to Magistrate Judge Keith A. Pesto in accordance with 28 U.S.C. § 636(c) and Local Rule 72.1 for Magistrate Judges.


The Magistrate Judge filed a Report and Recommendation on May 23, 2011, docket no. 11, recommending that the motion be denied. The petitioner was notified, pursuant to 28 U.S.C. § 636(b)(1), that he had fourteen days to serve and file written objections to the Report and Recommendation. Petitioner filed timely objections, docket no. 12, and a subsequent motion styled as a motion to amend the pending petition, docket no. 13.

Upon de novo review of the record of this matter, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 12<sup>th</sup> day of January 2012, it is

ORDERED that the motion to alter or amend the judgment,  
docket no. 8, and the motion to amend the pending petition, docket  
no. 13, are denied.

BY THE COURT:

  
KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Michael J. Pendleton DY-1646  
S.C.I. Somerset  
1600 Walters Mill Road  
Somerset, PA 15510